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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,199	09/22/2000	NAOFAL AL-DHAHIR	AL-DHAHIR 2	9867
7590 05/20/2004				
HENRY T BRENDZEL P.O. BOX 574 SPRINGFIELD, NJ 07081		EXAMINER WARE, CICELY Q		
		ART UNIT PAPER NUMBER		

2634

DATE MAILED: 05/20/2004

*Handwritten number 5*

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/668,199

Applicant(s)

AL-DHAHIR, NAOFAL

Examiner

Cicely Ware

Art Unit

2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6 and 11-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6 and 11-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

1. The claims are objected to because applicant's faxed claims are illegible, making reading and entry of amendments difficult. Substitute claims with lines one and one-half or double spaced on good quality paper are required. See 37 CFR 1.52(b).
2. The disclosure is objected to because of the following informalities:
  - a. Pg. 2, line 27, applicant uses the phrase "in accord with". Examiner suggests the phrase "in accordance with" for clarification purposes.
  - b. Pg. 6, line 21, examiner suggests omitting "that" for clarification purposes.
  - c. Pg. 8, line 20, examiner suggests substituting "In" with "It" for clarification purposes.
  - d. Pg. 8, line 25, examiner suggests omitting "is" for clarification purposes.
  - e. Pg. 9, line 6, examiner suggest re-writing this line for clarification purposes.
3. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is **requested** in correcting any errors of which applicant may become aware in the specification. Appropriate correction is required.

***Claim Objections***

4. Claim 3 is objected to because of the following informalities:
  - a. As written, it is unclear as to the dependency of the claim. Appropriate correction is required.
5. Claim 4 is objected to because of the following informalities:
  - a. As written, it is unclear as to the dependency of the claim.
  - b. Examiner suggests applicant define  $N_r$ .Appropriate correction is required.
6. Claim 11 is objected to because of the following informalities:
  - a. As written, it is unclear as to the dependency of the claim. Appropriate correction is required.
7. Claim 14 is objected to because of the following informalities:
  - a. Examiner is unable to find support for  $W_q$  as referenced in the claim. Appropriate correction is required.
8. Claim 15 is objected to because of the following informalities:
  - a. Examiner is unable to find support for  $\Phi^*$  as referenced in the claim.
9. Claim 18 is objected to because of the following informalities:
  - a. Examiner is unable to find support for  $e_p$  in the claim.
10. It is office policy that any claim containing variables or equations, must also contain a distinct definition for every variable included in the claim.

***Claim Rejections - 35 USC § 112***

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

12. Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. Claim 1 applicant makes reference to "a memory corresponding to v transmitted symbols". Examiner is unable to find support for a memory corresponding to v transmitted symbols".

b. Claim 3 recites the limitation "of said pre-filter of  $N_b$ " in Claim 3. There is insufficient antecedent basis for this limitation in the claim.

***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Spurbeck et al. US Patent 5,717,619 discloses a method and apparatus for computing, in real time, the coefficients of a time varying FIR filter.

b. Ifeachor et al. Digital Signal Processing A Practical Approach 1993 discloses the correlation process.

c. Hunsinger et al. US Patent 5,465,396 discloses a system for in-band on-channel digital broadcasting.

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14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cicely Ware whose telephone number is 703-305-8326. The examiner can normally be reached on Monday – Friday, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 703-305-4714. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

***Cicely Ware***

cqw  
March 31, 2004



STEPHEN CHIN  
SUPERVISORY PATENT EXAMINE  
TECHNOLOGY CENTER 2600